

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)
)
 v.) 1:21-MJ- 37
)
 ELROY STOUT,)
)
 Defendant.)

AFFIDAVIT IN SUPPORT OF A CRIMINAL INFORMATION AND SUMMONS

I, Investigator John W Deak, being duly sworn, state:

INTRODUCTION

1. I am an Investigator with the Fort Belvoir Police Department, Fort Belvoir, Virginia. I have been an Investigator with the United States Army since April 2019. My responsibilities include investigating violations of Federal and assimilated State law.

2. This affidavit is made in support of a criminal complaint and summons charging that on or about October 25, 2019, at Fort Belvoir, Virginia, within the maritime and territorial jurisdiction of the United States, in the Eastern District of Virginia, ELROY STOUT knowingly and willfully embezzled, stole, and purloined money and things of value of the United States, in violation of 18 U.S.C. § 641.

3. The facts and information contained in this affidavit are based upon my personal knowledge of the investigation, as well as the observations of other law enforcement officers involved in this investigation. All observations that were not personally made by me were related to me by the person(s) who made such observations.

4. This affidavit contains the information necessary to support probable cause. It is not intended to include each and every fact and matter observed by me or known to the United States.

PROBABLE CAUSE

5. STOUT retired from the United States Army Reserves as a Lieutenant Colonel in 2017. Ever since his retirement, STOUT has been employed by the U.S. Army as a civilian working in the 1st Information Operations Command unit located on Fort Belvoir.

6. A civilian employee of the Department of the Army is entitled to time off at full pay for certain types of active or inactive duty in the National Guard or as a Reserve of the Armed Forces. This "military leave" is only available if the civilian employee is ordered to active or inactive duty by a Department of Defense organization authorized to issue said orders.

7. In and around the first week of October 2019, STOUT submitted fraudulent orders to his employer (1st Information Operations). The orders stated that STOUT was being brought back to active duty for 90 days. STOUT requested military leave for those 90 days. STOUT completed his time sheet covering the pay period of October 14, 2019 to October 25, 2019 to reflect that he was on military leave for a total of 80 hours. The approximate total value of 80 hours of fraudulent military leave, at STOUT's salary rate, is \$4,240.00.

8. STOUT's supervisor realized that the orders were fraudulent when a closer inspection revealed numerous typos, erroneous information, and other inconsistencies. On or about November 7, 2019, STOUT's supervisor notified Fort Belvoir law enforcement about the possibly of fraud.

9. The text of the orders purported that they had been issued by USSOCOM (United States Special Operations Command). USSOCOM confirmed on or about December 13, 2019 that no such orders had ever been issued for STOUT.

10. On or about December 16, 2019, I met with STOUT. I advised STOUT of his rights and that he was being investigated for potential fraud. STOUT chose to waive those rights and provide a sworn statement. In that statement, STOUT admitted that he had typed and edited the orders himself and then provided those orders to his supervisor knowing that they were fraudulent. STOUT claimed that he took these actions so he could take care of medical issues for which he would otherwise have had to take ordinary leave.

CONCLUSION

11. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on or about October 25, 2019, at Fort Belvoir, Virginia, within the maritime and territorial jurisdiction of the United States, in the Eastern District of Virginia, ELROY STOUT knowingly and willfully embezzled, stole, and purloined money and things of value of the United States, in violation of 18 U.S.C. § 641.



John W. Deak
Investigator
Fort Belvoir Police Department
Fort Belvoir Virginia

Subscribed and sworn to before me on 2 February, 2021

